

## **COUNCIL MEETING August 6, 2021 — MINUTES**

### Council Members Present

Mary Durham, Chair  
Kimberly Blackmon  
Erica Brown,  
HHSC/Medicaid  
Gladys Cortez  
Kristen Cox  
Andrew Crim  
Mary Faithfull, DRTX  
Jennifer Hines, TWC  
Scott McAvoy  
Meagan Orsag,  
A&M-CDD  
Randell Resneder  
Eric Shahid  
Robert Schier III  
Molly Spratt  
Toby Summers  
Lora Taylor  
Kim Torres  
Audrey Young,  
DSHS/Maternal Child  
Health  
Nina Zuna, TCDS

### Members Absent

Hunter Adkins  
Ronnie Browning  
Maverick Crawford  
Michael Peace  
Justin Porter, TEA  
Holly Riley, HHSC/Older  
Americans Act  
John Thomas

### Guests Present

Jennifer Bacak  
Sandra Bitter  
Kyle Cox  
Sarah Gernsbacher  
Linda Litzinger  
Laura Marquez

### Regional Coordinators Present

Morgan Bradley  
Rosa Guel

Skyler Mueller  
Shelby Vaughn

### Staff Present

Beth Stalvey,  
Executive Director  
Scott Daigle  
Robert Garcia  
Lauren Gerken  
Stacey Kaleh  
Genessee Klemm  
Le Lien  
Linda Logan  
Sylvia Medina  
Evan Marczynski  
Fernando Rodriguez  
Richard Rendon  
Mary Rochford  
Reynaldo Valldejuli

### **Call to Order**

Pursuant to the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, the Texas Council for Developmental Disabilities met virtually using the Zoom platform on Friday, August 6, 2021. Council Chair Mary Durham called the meeting to order at 9:04 AM. A quorum was present.

#### **1. Introductions**

Council members, staff and guests were introduced.

#### **2. Public Comments**

No public comments were offered.

### 3. **Consent Items**

Chair Durham reviewed consent items including the minutes from the May 5, 2021, Committee of the Whole meeting and the May 7, 2021, Council meeting as well as the excused absences of Hunter Adkins, Ronnie Browning, Maverick Crawford, Michael Peace, Justin Porter, Holly Riley, and John Thomas.

**MOTION:** To approve the minutes of the May 5, 2021, Committee of the Whole meeting and May 7, 2021, Council meeting and the excused absences of Hunter Adkins, Ronnie Browning, Maverick Crawford, Michael Peace, Justin Porter, Holly Riley, and John Thomas.

**MADE BY:** Gladys Cortez

**SECOND:** Molly Spratt

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 21)

### 4. **Chair and Executive Director's Report**

Chair Durham noted the order of agenda items will be adjusted to accommodate member obligations.

Executive Director Beth Stalvey introduced new TCDD Director of Budget and Finance Rey Valdehuli and informed members of Regional Coordinator vacancies in Dallas and Corpus Christi.

Stalvey discussed TCDD activities resulting from Centers for Disease Control and Prevention (CDC) funding to reduce barriers to COVID-19 vaccines for people with disabilities. Initial efforts include stipends for organizations to address needs in their communities. Public Policy staff will host discussions with self-advocates during the upcoming Texas Advocates conference to get input on additional activities including the development of peer led street teams where advocates can connect with others in their regions. Other activities will be added to spend funds before the September 30, 2022 deadline.

Stalvey reported new processes for Council members to obtain travel advance funds when attending meetings or traveling for other Council business. Members also discussed options for future meetings to be held in-person while allowing for members to participate virtually.

### 5. **Legislative Champions**

Public Policy Committee Vice-Chair Kim Torres reported on that Committee's discussion of awarding TCDD Legislative Champion recognition to lawmakers and staff members who actively work toward improving inclusion, breaking barriers, and promoting increased quality of life for Texans with intellectual and developmental disabilities. Torres reminded members of the lawmakers who were recognized from the 86<sup>th</sup> Legislature and noted that the Committee agreed not to recognize them for a second consecutive session. She reported that the Committee recommended three lawmakers and eight legislative staff members for recognition.

**MOTION:** To recognize Representative Alex Dominguez, Representative Mary González, and Senator Jose Menéndez as well as legislative staff members Alison Brock, Allison Heinrich, Alvaro Diaz, Amanda Danielle González, Jim Johnson, Lillian Garvens, Logan Davidson, and Ted Raab as TCDD Legislative Champions.

**MADE BY:** Kim Torres for the Public Policy Committee (Motions from Committee do not need a second.)

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 17)

**6. Public Policy Committee Report**

Public Policy Committee Vice-Chair Torres provided highlights of the Committee discussion on legislation that impacts people with disabilities including the House Resolution honoring former Council member Ruth Mason. Torres also reported on Committee discussion of advocacy opportunities related to the special legislative sessions and interim charges.

**7. FY 2022 Operating Expense Budget**

TCDD Director of Budget and Finance Valldejuli presented the proposed FY 2022 Operating Expense budget in the amount of \$2,349,102 which is \$24,507 less than FY 2021. He reviewed variances in salaries and benefits as well as professional services. He also reported an assessment of expenses and identified ways the agency plans to save from prior years.

Council members discussed staff salaries as well as professional services that were previously contracted to outside entities but are now handled by staff, i.e., Partners in Policymaking program.

**MOTION:** To approve the FY 2022 Operating Expense Budget in the amount of \$2,349,102.

**MADE BY:** Mary Durham for the Executive Committee

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 3)

**8. Future Activities for State Plan Implementation**

Project Development Committee Chair Gladys Cortez reported on discussion of new state plan project executive summaries and Future Funding Priorities List.

She first discussed a new state plan project executive summary on Participatory Action Research. Cortez reminded members that TCDD previously attempted a project of this type but did not receive applications. The Council has acknowledged the need for inclusive participation by individuals with disabilities in research projects but recognizes the difficulty in implementing this. The revised executive summary would equip people with disabilities to be active in participatory action research through projects that address gaps by reviewing barriers for participation by people with disabilities; raise awareness of the value of participation by people with disabilities; and develop accessible educational materials as well as training for people with disabilities in research basics. The Committee addressed funding and number of

proposed projects by increasing the funding amount from the proposed \$100,000 per year to \$150,000 per year and decreasing the number of projects from three to two.

**MOTION:** To approve funding of up to \$150,000 per year, for up to three years, per project for up to two Participatory Action Research projects.

**MADE BY:** Gladys Cortez for the Project Development Committee

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 13)

Cortez next reported discussion on New Initiative projects. This concept of an open Request for Applications (RFA) allows the applicant to submit innovative ideas that would increase community inclusion or improve the lives of people with disabilities. A prior version of this RFA brought in several successful projects.

**MOTION:** To approve funding of up to \$100,000 per year, for up to four years for up to five New Initiatives projects with a distinct clarification of innovative ideas

**MADE BY:** Gladys Cortez for the Project Development Committee

Cortez then reported on Committee discussion of the Future Funding Priorities List. She noted the Committee placed the newly recommended projects in the middle of the list and removed the higher education focused projects as the Committee has asked for projects focused on employment training and post-secondary education training for students with disabilities to take their place.

**MOTION:** To approve the Future Funding Priorities List as follows:

- 1) Understanding Online Access Among individuals with DD During COVID-19
- 2) Understanding of Employment and Unemployment Among individuals with DD During COVID-19
- 3) Culturally Appropriate Family Supports
- 4) Promoting Civic Engagement Among Individuals with Developmental Disabilities
- 5) Participatory Action Research
- 6) New Initiatives
- 7) Prevention and Response to Sexual Offenses: Medical and Therapeutic Professionals
- 8) Prevention and Response to Sexual Offenses: Criminal Justice Response to Cases involving people with IDD

**MADE BY:** Gladys Cortez for the Project Development Committee

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 14)

## 9. **Project Development Committee Report**

Project Development Committee Chair Cortez reported on a lengthy discussion of project ideas based on the FY 2022 – FY 2026 State Plan Goals and Objectives. She

noted the need for innovative ideas regarding inclusion and thanked Committee members for their input.

10. **Council Brand Selection**

Council Chair Durham reviewed the Committee of the Whole discussion on Council branding and reminded members of the recommendation to move forward with the Legacy Checkmark – Texas shaped logo and the tag line of “Inclusive. Innovative. Impactful.”.

**MOTION:** To approve the new Legacy Checkmark logo and tag line of “Inclusive. Innovative. Impactful.”.

**MADE BY:** Mary Durham for the Committee of the Whole

The motion **passed** unanimously.

11. **Texas Administrative Code Rule Review**

Chair Durham reported on Executive Committee discussion of proposed revisions to the TCDD Rules in the Texas Administrative Code Title 40, Part 21, Chapter 876 which relates to General Provisions of the Council and Chapter 877 which relates to Grant Awards. Executive Director Stalvey reviewed the proposed revisions to Chapter 876 which correctly identifies the statute establishing charges for public records and to Chapter 877 which applies consistent language to all sections regarding the Request for Applications process and clarifies the source material for the agency appeals process. Stalvey reminded members these proposed revisions must be posted for public comment in the Texas Register and on the TCDD website.

**MOTION:** To post the proposed revisions to the Texas Administrative Code Title 40, Part 21, Chapter 876 which relates to General Provisions of the Council and Chapter 877 which relates to Grant Awards for public comment.

**MADE BY:** Mary Durham for the Executive Committee

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 6)

12. **FY 2022 Memorandum of Understanding with Texas Education Agency**

Chair Durham reported that the annual review of the Memorandum of Understanding (MOU) between TCDD and Texas Education Agency did not produce any changes from the previous year. The MOU outlines the rules and responsibilities of the designated state agency in providing administrative services and supports to TCDD.

**MOTION:** To approve the FY 2022 Memorandum of Understanding with Texas Education Agency.

**MADE BY:** Mary Durham for the Executive Committee

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 7)

**13. Accessible Transportation**

The Council received a presentation from Sandra Breitengross Bitter, Executive Director of the Texas State Independent Living Council (SILC) on the Transportation Works project. SILC hosted five regional summits in addition to conducting surveys and workgroups to identify transit barriers for individuals with disabilities in Texas and published a report on the findings. Bitter reviewed the recommendations from the report and members discussed future advocacy opportunities in the area of accessible transportation.

**14. Executive Committee Report**

Council Vice-Chair Robert Schier III reported Executive Committee approval of continuation grant funding for 11 projects and noted no stipends were approved during the preceding quarter.

Grants Coordinator Sylvia Medina discussed the Grants Monitoring Report that featured 39 active projects, one project started during the quarter, five projects that ended during the quarter as well as four projects that are in the final year of funding. She noted that one project extended its budget period due to COVID-19 complications and three projects will be considered for continuation funding at the November meeting. Medina reviewed the Independent Audit Status Report noting no new reviews were submitted during the quarter but one updated audit from EPIC was submitted. She also reviewed the Risk Assessment report to note that start dates for each project were added and completed projects were removed. No projects are identified as high risk at this time.

Budget and Finance Director Valldejuli reviewed the Summary of Funds for FY 2018 – FY 2022 and explained the new format of the reports. He noted that FY 2018 has been closed out and this is the last quarter that FY 2018 funds will be reported. Valldejuli clarified the operating expenses and total grant expenses showing amounts obligated for each year. He also reviewed the stipend expenditures and individual expenses from current grantees.

Reports on member and staff conflict of interest disclosures were emailed to members prior to the meeting.

**15. Future Agenda Items**

Council members did not provide any additional requests for future agenda items.

**16. Announcements and Updates**

Council members discussed dates of future meetings of November 3-5, 2021, February 2-4, 2022, May 4-6, 2022, and August 3-5, 2022. Members further discussed the logistics of in-person meetings and how members can attend virtually.

**Adjourn**

Vice-Chair Schier adjourned the meeting at 11:22 AM.

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Beth Stalvey, Secretary to the Council    Date